



PATENT  
Attorney No. ADI-098  
(120290/155733)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Van Noy et al. CONFIRMATION NO.: 7808

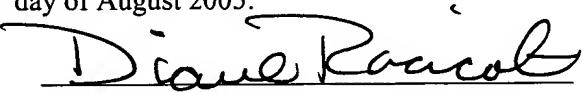
SERIAL NO.: 10/712,790 GROUP NO.: 3728

FILING DATE: November 13, 2003 EXAMINER: Not Yet Assigned

TITLE: Shoe Ventilation System

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop: **Duplicates**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9<sup>th</sup> day of August 2005.

  
Diane Racicot

Mail Stop: **Duplicates**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Response to USPTO Notice (1 pg.);
3. Copy of Notice Under 37 CFR 1.251 Pending Application (1 pg.);
4. Copies of Status Inquiry (5 pgs); and
5. Return receipt postcard.

AUG 11 2005

**TRANSMITTAL  
FORM**

U.S. PATENT &amp; TRADEMARK OFFICE

Application Serial Number	10/712,790
Filing Date	November 13, 2003
First Named Inventor	Van Noy
Group Art Unit	3728
Examiner Name	Not Yet Assigned
Attorney Docket No.	ADI-098
Confirmation No.	7808
Patent No.	Not applicable
Issue Date	Not applicable

**ENCLOSURES (check all that apply)**

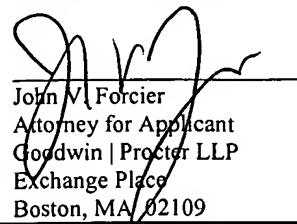
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)  <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)
<input checked="" type="checkbox"/> Response to USPTO Notice  <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Associate Power of Attorney	<input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
<input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations	<input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)  <input checked="" type="checkbox"/> Copies of Status Inquiry
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Amendment After Allowance	<input checked="" type="checkbox"/> Copy of Notice Under 37 CFR 1.251 Pending Application (1 pg);
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	

**CORRESPONDENCE ADDRESS**

Direct all correspondence to: Patent Administrator  
Goodwin | Procter LLP  
Exchange Place  
Boston, MA 02109  
Tel. No.: (617) 570-1000  
Fax No.: (617) 523-1231  
Customer No. 051414

**SIGNATURE BLOCK**

Respectfully submitted,

  
John V. Forcier  
Attorney for Applicant  
Goodwin | Procter LLP  
Exchange Place  
Boston, MA 02109



PATENT  
Attorney Docket No. ADI-098

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Van Noy et al. CONFIRMATION NO.: 7808  
SERIAL NO.: 10/712,790 GROUP NO.: 3728  
FILING DATE: November 13, 2003 EXAMINER: Not Yet Assigned  
TITLE: Shoe Ventilation System

Mail Stop: **Duplicates**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

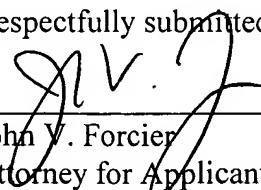
**RESPONSE TO USPTO NOTICE**

This paper is submitted in response to the Notice under 37 CFR 1.251, mailed from the U.S. Patent and Trademark Office on August 1, 2005.

Enclosed herewith is a true copy of Applicants' Status Inquiry, as filed by facsimile on March 23, 2005. The Notice identifies the paper as being dated May 23, 2005; however, Applicants believe this is a typographical error in the notice, as Applicants did not file any papers with the U.S. Patent Office on or about May 23, 2005. Also enclosed herewith is a copy of the Notice under 37 CFR 1.251 including the required statement.

Applicants respectfully request entry of this response and the enclosed documents. The Office is invited to contact Applicants' undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

  
John V. Forcier

Attorney for Applicants  
Goodwin Procter LLP  
Exchange Place  
Boston, Massachusetts 02109

Date: August 9, 2005  
Reg. No. 42,545

Customer No. 051414  
Tel. No.: (617) 570-1607  
Fax No.: (617) 523-1231  
LIBC/2559236.1

In re Application of: ALLEN W. VAN NOY et al.Application No.: 10/712790Filing Date: 11/12/2003Title: SHOE VENTILATION SYSTEMDirect to: U.S. Patent and Trademark Office  
Mail Stop: Duplicates  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**NOTICE UNDER 37 CFR 1.251 – Pending Application****Statement (check the appropriate box):**

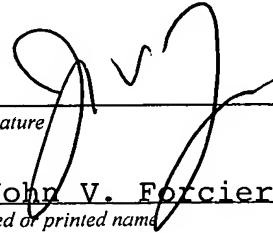
The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

August 9, 2005  
Date

  
Signature  
John V. Forcier  
Typed or printed name

**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

ADI-098  
(120290/155733)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of: Transmittal (1 pg); Response to USPTO Notice (1 pg.); Copy of Notice Under 37 CFR 1.251 Pending Application (1 pg); Copies of Status Inquiry (5 pgs); a return receipt postcard all mailed under Certificate of First Class Mailing.

Name of Applicants: Van Noy et al.  
Intf. or Serial Number 10/712,790  
Atty: John V. Forcier  
Date: August 9, 2005  
LIBC/2559348.1

